



State of Connecticut

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**Testimony of Deborah Del Prete Sullivan,
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Office of Chief Public Defender**

***Raised Bill No.5280
An Act Concerning the Statute of Limitations for Perjury***

**Judiciary Committee Public Hearing
March 19, 2010**

The Office of Chief Public Defender opposes *Raised Bill No. 5280, An Act Concerning the Statute of Limitations for Perjury*. This office urges this committee not to support this legislation which would eliminate the current statute of limitations of 5 years for persons who commit perjury if the "statement that forms the basis for such violation relates to the commission of . . . a capital felony, a class A felony or a violation of section 53a-54d (Arson Murder) or 53a - 169 (Escape in the first degree: Class C felony) . . .".

Consistent with testimony submitted in the past, the Office of Chief Public Defender is concerned that without any limitation period, evidence may be unable to be located, destroyed or may deteriorate. In addition, memories of witnesses fade and sometimes no longer exist. It may be difficult or impossible to locate witnesses who may have moved or are deceased. Without any finite period of time within which a prosecution can be brought, it may be impossible for an innocent person to fairly defend him/herself.

In order to provide for the constitutional rights of the defendant to notice, due process and a fair trial, the statute of limitations should not be extended beyond the current time period of 5 years. The Office of Chief Public Defender urges this committee not to support this proposal.